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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF CAMILA
TAPERNOUX IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
WAYMO LLC'S MOTION FOR
JURY INSTRUCTION BASED ON
SPOILIATION**

Trial Date: December 4, 2017

1 I, Camila Tapernoux, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I am a member in
3 good standing of the Bar of the State of California. I make this declaration based upon matters
4 within my own personal knowledge and if called as a witness, I could and would competently
5 testify to the matters set forth herein. I make this declaration in support of Defendants'
6 Opposition to Waymo LLC's Motion for Jury Instruction Based on Spoliation.

7 2. Attached as Exhibit 1 is a true and correct copy of excerpts from the June 19, 2017
8 deposition of Lior Ron.

9 3. Attached as Exhibit 2 is a true and correct copy of the November 20, 2017,
10 Declaration of Allan T. Vogel.

11 4. Attached as Exhibit 3 is a true and correct copy of excerpts from the July 20, 2017
12 deposition of Ognen Stojanovski.

13 5. On November 20, 2017, I reviewed searches of all emails, documents, and text
14 messages located in the custodial files of, or sent to or from, Anthony Levandowski, Lior Ron,
15 Travis Kalanick, Nina Qi, John Bares, and Cameron Poetzscher that Uber produced. I also
16 reviewed searches of all such documents that had a document date between January 1, 2016, and
17 March 31, 2016. From my review of those searches, I was able to confirm that Uber has
18 produced 8,748 emails, documents, and text messages located in the custodial files of, or sent to
19 or from, Anthony Levandowski, Lior Ron, Travis Kalanick, Nina Qi, John Bares, and Cameron
20 Poetzscher. I was also able to confirm that 1,390 of these documents had a document date
21 between January 1, 2016, and March 31, 2016.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed this
23 20th day of November, 2017 at San Francisco, California.

24
25 /s/ Camila Tapernoux
Camila Tapernoux
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ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Camila Tapernoux has concurred in this filing.

Dated: November 20, 2017

/s/ Arturo J. González
Arturo J. González